

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

GRAND VALLEY LAKES PROPERTY  
OWNERS ASSOCIATION, INC.,

Plaintiff,

v.

OWNERS INSURANCE COMPANY,

Defendant.

No. \_\_\_\_\_  
JURY DEMANDED

**NOTICE OF REMOVAL**

Comes now Defendant OWNERS INSURANCE COMPANY, by and through the undersigned counsel, and hereby notifies the Judges of the United States District Court for the Western District of Tennessee, Eastern Division, the Clerk of the Circuit Court of Hardeman County, Tennessee, and the Plaintiff, GRAND VALLEY LAKES PROPERTY OWNERS ASSOCIATION, INC., that the action described herein and filed in the Circuit Court of Hardeman County, Tennessee, is removed to the United States District Court for the Western District of Tennessee, Eastern Division, pursuant to 28 U.S.C. § 1441.

1. On November 16, 2016, Plaintiff Grand Valley Lakes Property Owners Association, Inc. filed a civil action bearing Docket No. CC-16-CV-46, against Defendant Owners Insurance Company in the Circuit Court of Hardeman County, Tennessee. (See Complaint, a copy of which is attached hereto as **Exhibit A**). Service of the Summons and Complaint was made upon CT Corporation System, the Defendant's designated statutory agent for service of process, on December 7, 2016, by certified

mail through the Commissioner of the Department of Commerce and Insurance of the State of Tennessee.

2. This action is filed by Plaintiff Grand Valley Lakes Property Owners Association, Inc. for proceeds allegedly due under a contract of insurance written by Defendant Owners Insurance Company, and insuring Plaintiff's certain of Plaintiff's property located in the Grand Valley Lakes subdivision located in Saulsbury, Hardeman County, Tennessee, which was allegedly damaged by a storm that occurred on or about December 23, 2015. (See Complaint ¶¶1–11). Plaintiff also asserts claims for statutory bad faith under Tenn. Code Ann. § 56-7-105. (See Complaint ¶¶24–28).

3. Defendant Owners Insurance Company seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-Five Thousand and 00/00 Dollars (\$75,000.00), exclusive of the interest and costs. See 28 U.S.C. § 1332. (See Complaint, Prayer for Relief).

4. Plaintiff Grand Valley Lakes Property Owners Association, Inc. was an active Tennessee corporation with its principal place of business located at 405 Grand Valley Drive, Saulsbury, Tennessee as of the time of the filing of this action and also at the time of removal.

5. Defendant Owners Insurance Company is a corporation incorporated in Ohio, with its principal place of business in Lansing, Michigan.

6. The amount in controversy exceeds Seventy-Five Thousand and 00/00 Dollars (\$75,000.00), exclusive of interest and costs.

7. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).

8. A copy of the Summons and Complaint, being all the papers served upon Defendant are attached hereto as **Exhibit A**.

9. A Corporate Disclosure Statement is also filed contemporaneously herewith.

WHEREFORE, Notice is hereby given that the said civil action No. CC-16-CV-46 is removed from the Circuit Court of Hardeman County, Tennessee, to this Court.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

By: s/ Bradford D. Box  
BRADFORD D. BOX (BPR No. 16596)  
MICHAEL L. MANSFIELD (BPR No. 18781)  
209 East Main Street  
P.O. Box 1147  
Jackson, Tennessee 38302-1147  
(731) 423-2414—telephone  
(731) 426-8150—facsimile  
bbox@raineykizer.com  
mmansfield@raineykizer.com  
*Attorneys for Defendant*  
*Owners Insurance Company*

#### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was forwarded first class U.S. Mail, postage prepaid to Brandon McWherter, Gilbert, Russell & McWherter, PLC, 341 Cool Springs Blvd., Franklin, Tennessee 37067, Attorneys of record for Plaintiff, and by electronic means via the Court's electronic filing system.

This the 21st day of December, 2016.

s/ Bradford D. Box